

Minutes

Bar Harbor Town Council

September 16, 2008

- I. CALL TO ORDER – 7:01 P.M.** – In attendance were: Councilors Ruth Eveland, Bob Garland, Paul Paradis, Sandy McFarland, Greg Veilleux and Robert Jordan, Jr.; and Town Manager Dana Reed.
- A. Excused Absence(s)** – Mr. Paradis, with second by Mr. Veilleux, moved to excuse Julia Schloss, as provided by Town Charter section C-12.B(1)(d). Motion passed 6-0.
- II. APPROVAL OF MINUTES:**
- A. September 2, 2008 – Regular Meeting**
- B. September 10, 2008 – Special Meeting**
- Mr. Paradis, with second by Mr. Veilleux, moved to approve the minutes of the September 2, 2008 regular meeting and the September 10, 2008 special meeting as presented. Motion passed 6-0.
- III. ADOPTION OF AGENDA** – Mr. Paradis, with second by Mr. Veilleux, moved to adopt the agenda as presented. Motion passed 6-0.
- IV. FINANCIAL STATEMENTS:** - Mr. Paradis, with second by Mr. Veilleux, moved to accept and file the financial statements as presented in the Finance Director's memo dated September 11, 2008. Motion passed 6-0.
- V. PUBLIC HEARINGS:** (None Scheduled)
- VI. REGULAR BUSINESS:**
- A. Parking & Traffic Committee** – *Possible appointment of Barbara Entzminger to one of the two vacant seats for either a one or two year term.* – Mr. Paradis nominated Barbara Entzminger to an at-large seat on the Parking & Traffic Committee with a term expiring June 30, 2010. Barbara Entzminger was declared appointed by a unanimous vote of 6 to 0.
- B. November 4th Special Town Meeting:**
- 1. Warrant** – *Signing of the special town meeting Warrant.*
 - 2. Notice of Public Hearing** – *Signing of the required public hearing notice for the articles on the municipal ballot for November 4th.*

Mr. Paradis, with second by Mr. Garland, moved to sign the Warrant and the Notice of Public Hearing for the November 4, 2008 Special Town Meeting. Motion passed 6-0.

C. Board & Committee Consultations:

1. Reports – Discussion of current projects, future plans and any support needed from Town Council

a. Conservation Commission – Conservation Commission Chair Jill Weber reported that the commission continues to follow the work plan. Their work includes two speakers last month regarding energy audit; September's meeting they toured the Northeast Creek workforce housing project; a follow up to the compost containers will be held September 28 in conjunction with the Hancock County Extension; Chip Reeves is invited to speak at their next meeting regarding solid waste; and they plan an education campaign for the upcoming vote on the Lighting Ordinance.

b. Planning Board – Planning Board Chair Kay Stevens-Rosa reported the board is one member short. The current board is taking the approach of stricter enforcement of the Land Use ordinance in a clearer and consistent manner. Fewer projects to review this winter than last will give them an opportunity to look at affordable housing and wireless communication. Also, they look forward to continuing conversations with Ocean Properties and their new venture.

2. Reporting Schedule – Review and possible approval of a refined meeting schedule. – Following brief comments, Mr. Paradis, with second by Mr. Veilleux, moved to terminate the Ferry Service Task Force and the Local Option Tax Committee, to change the reporting schedule from quarterly to semi-annual for the Communication Technology Task Force, the Corridor Management Committee, and the Harbor Committee, to adopt the Board and Committee Consultation Schedule dated September 12, 2008 as amended and ask staff to make the appropriate arrangements with the various agencies. Motion passed 6-0.

D. Sewer Ordinance Amendment – Review and possible introduction of an amendment to clarify grease interceptor procedures and provide for the assessment of construction costs. – Town Manager Dana Reed reported that the town attorney had previously addressed the questions or concerns raised when Mr. Reed was writing the ordinance revision. The awkward ordinance language proposed is identical to the State statutes which authorize special assessment districts. Mr. Paradis with second by Mr. Garland, moved to introduce the Sewer Ordinance Amendment as proposed and schedule a public hearing for October 21, 2008. Motion passed 6-0.

E. Priority Projects Reports – Status reports

1. **Eden St. Sidewalk** (*West Street to College*) – *Public Works Director* – Chip Reeves reported that he just received word that the project is alive and well, and that the MDOT has it in their schedule for fiscal year 2011.
2. **Scenic Vistas** – *Complete clearing of the Bluffs scenic vista and work with property owners in Hulls Cove on same* – *Public Works Director* – Mr. Reeves reported that he contacted one of the neighbors and they favored the project. He will continue to speak with the neighbors. Once he has formulated the scope of the project, he'll return to the Town Council and most likely request additional funding.
3. **Municipal Building Renovations** – *Finance Director* – Stan Harmon reported that the engineers will make another walk through next week, and following their visit the bid specs will be prepared.
4. **Economic Development** – *Planning Director* – Anne Krieg reported the task force plans to resume their bimonthly meetings. Currently, they are reviewing the redistricting of the downtown business area; preparing an RFP for the Economic Development Plan; and looking at municipal signage directing the public. The Chamber expressed interest in displaying kiosks as a means to inform the public. She announced the task force is currently short members and encourages anyone interested to apply.

Discussion ensued regarding the task force increasing its meeting schedule to twice a month. No action was taken.
5. **Comprehensive Plan Implementation** – *Planning Director* – Anne Krieg gave an impressive list of progress made on implementation of the Comprehensive Plan short term goals.
6. **Increase Support for Boards & Committees** – *Town Mgr.* – Work has not begun in drafting a committee handbook. Councilor Paradis reported that he has been gathering information from other sources that might be useful.
7. **Community Forum on Form of Government** – *Council Chair* – Chair Eveland reported that the ballot article to establish a Charter Commission was placed on the November town meeting warrant. Following the vote, the Council will know which direction to proceed.

- F. Town Attorney** – *Request of the Town Manager for delegation of authority to appoint substitute attorneys.* – Town Manager Reed reported that Town Attorney Lee Bragg had advised that only the Town Council, or its designee, has the authority under the Town Charter to appoint attorneys for the Town. From time to time, temporary, short-term substitute attorneys are needed. Mr. Paradis, with second by Mr. Veilleux, moved to authorize

the Town Manager to appoint substitute attorneys on a temporary basis.
Motion passed 6-0.

G. High School Funding Formula – *Request that the League of Towns sponsor an open forum on the high school funding formula.* – Following discussion, Mr. Paradis, with second by Mr. Veilleux, moved to table this item to the October 7, 2008 meeting. Motion passed 6-0.

H. FY10 Budget Preparation – *Possible appointment of two Councilors to the Joint Budget Committee.* – Mr. Paradis nominated Sandy McFarland. Mr. Jordan nominated Ruth Eveland. By unanimous vote, 6-0, Sandy McFarland and Ruth Eveland were appointed to the Joint Budget Committee.

I. Treasurer's Warrant – *Request of Treasurer to authorize paid bills.* – Mr. Paradis, with second by Mr. Veilleux, moved to sign the Treasurer's Warrant for paid bills. Motion passed 6-0.

VII. COUNCIL COMMENTS AND SUGGESTIONS FOR NEXT AGENDA

Mr. Paradis thanked staff for saving paper and providing Council with the website link for the Warrant and Notice of Public Hearing. He felt that the experiment worked well.

Also, he thanked -all of those who had volunteered to run for the Charter Commission, if it is established by Town Meeting. Their stepping up to the plate was appreciated and their enthusiasm refreshing.

Mr. Veilleux thanked Conservation Commission member Enoch Albert and UMO County Extension for their collaborative effort on the compost bins and reminded everyone of their upcoming meeting at the Farmer's Market on September 28th.

Mr. Jordan thanked the town crew for the great job they do keeping the streets clean.

He also thanked the Fire Department crew for the magnificent fire stop at the Criterion Theatre.

Ms. Eveland announced the Hancock County public hearing on the next budget will be held on September 29th at 6:00 p.m. in the Hancock County Court House in Ellsworth.

VIII. MATTERS FOR POSSIBLE EXECUTIVE SESSION:

A. Hadley Point – *Consideration of the acquisition or disposal of real property or rights therein. (To be held in executive session as permitted by 1 MRSA 405.6.C, since premature disclosure of this information would prejudice the competitive or bargaining position of the Town.)* Mr. Paradis, with second by Mr. Veilleux, moved at 8:39 p.m. to go into executive

session as permitted by 1 MRSA 405.6.C, since premature disclosure of this information would prejudice the competitive or bargaining position of the Town. Motion passed 6-0. Council entered into executive session following a ten minutes break at 8:46 p.m. Council came out of executive session at 8:56 p.m. There was no action taken.

B. Personnel Matter – *(To be held in executive session as permitted by 1 MRSA 405.6.A for discussion or consideration of a personnel matter.)* – Mr. Paradis, with second by Mr. Veilleux, moved at 8:56 p.m. to go into executive session as permitted by 1 MRSA 405.6.A for discussion or consideration of a personnel matter. Motion passed 6-0. Council came out of executive session at 9:18 p.m. There was no action taken.

C. Town Manager's Performance Evaluation – *(To be held in executive session as permitted by 1 MRSA 405.6.A for discussion or consideration of a personnel matter.)* Mr. Paradis, with second by Mr. Veilleux, moved at 9:18 p.m. to go into executive session as permitted by 1 MRSA 405.6.A for discussion or consideration of a personnel matter. Motion passed 6-0. Council came out of executive session at 9:27 p.m. There was no action taken.

IX. ADJOURNMENT – Mr. Paradis, with second by Mr. Veilleux, moved to adjourn at 9:28 p.m. Motion passed unanimously.

Paul Paradis, Secretary